

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Nishi NORIAKI et al.

Art Unit: 2655

Application No.: 09/914,350

Examiner: G. Patel

Filed: August 27, 2001

Confirmation No.: 3695

For: OPTICAL HEAD, LIGHT RECEIVING EMITTING DEVICE AND OPTICAL  
RECORDING AND/OR REPRODUCING APPARATUS

*9/25/03*  
*10/2/03*  
*K*

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

SEP 26 2003

Technology Center 2600

Dear Sir:

In response to the Election of Species Requirement dated August 28, 2003, Applicants elect Species I (optical head device), which is directed to claims 1, 2, 5, 6, 12, 14, 15, and 18, and light receiving/emitting device subspecies 1, which is directed to claims 3 and 16. Further, Applicants provisionally elect photodetector subspecies 1 directed to claims 9 and 21. However, Applicants submit that claims 9 and 21 are generic, and read on photodetector species 2-13 as well. Therefore, the foregoing election is made with traverse.

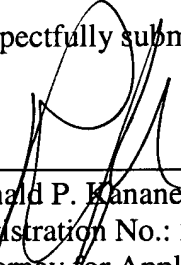
Claims 9 and 21 similarly recite said light detecting means for receiving said reflected light beam includes at least one set of light receiving sections, obtained on splitting, and wherein at least one of tracking error signals, address signals and clock signals is obtained by a push-pull method using said light receiving sections. Each of the alleged photodetector species 1-13 identified by the Examiner includes at least every element recited in claims 9 and 21. Therefore, Applicants submit that claims 9 and 21 are generic with respect to photodetector species 1-13.

An action on the merits of claims 1-3, 5, 6, 9, 12, 14-16, 18, and 21 and a Notice of Allowance thereof are respectfully requested. Applicants reserve the right to file divisional applications on the non-elected inventions recited in claims 4, 7, 8, 10, 11, 13, 17, 19, and 22-52.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 80015-0069 from which the undersigned is authorized to draw.

Dated: September 25, 2003

Respectfully submitted,

By   
Ronald P. Kananen  
Registration No.: 24,104  
Attorney for Applicant

**RADER, FISHMAN & GRAUER PLLC**  
1233 20<sup>th</sup> Street, N.W. Suite 501  
Washington, D.C. 20036  
Tel: (202) 955-3750  
Fax: (202) 955-3751  
Customer No. 23353

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In the event additional fees are necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 180013 for any such fees; and applicants hereby petition for any needed extension of time.